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**Spatial Planning
Calderdale MBC**

**by email
21st April 2021**

**Local Plan Consultation – Stage 3 response to CC111 –
LP0901 (Denis' Field) and LP0902 land adjoining LP0901**

On behalf of Todmorden Town Council we wish to strongly object to the proposal by Calderdale MBC to put site LP0901 forward for development and LP0902 as use for replacement provision of existing play area on site LP0901.

As a Town Council we supported the Save Denis' Field Group in their application to have this site declared as an Asset of Community Value in June 2020, and indeed in our emerging Neighbourhood Plan, we intend classifying both LP0901 and LP0902 as "Designated Green Spaces"

Our objection to this proposal to include in the Calderdale Development Local Plan as a site allocated for development is based on several concerns that are detailed below:

Reclassification of this land

The site assessment for LP0901 based in 2017 stated that this is an important amenity greenspace, play area and that natural and semi natural urban green spaces will not be allocated in the Local Plan for development. This was overturned the following year without any effective and proper consultation.

Justification was given for this decision on the grounds that there was sufficient alternative provision to meet the Council's adopted standards, but as we understand it, no evidence was provided to support this, nor was any meaningful consultation carried out.

Given that the evidence now required by the Planning Inspector indicates this is not an accurate statement, there is in our opinion an unjust process involved in having made this material change in definition to allow development to take place.

Open Space Quantitative Site Assessment

We believe the document submitted by CMBC dated 30th March 2021 is flawed in its assumption regarding the deletion of open space and or compensatory provision.

The standard for Calderdale of Ha/1000 population for Parks and Gardens is 0.8 and Green Amenity space 0.6. For Todmorden figures of 1.931 and 0.734 respectively seem to indicate compliance.

However, when assessed against the 400m requirement at 0.026 and 0.250 and for 600m at 0.026 and 0.266, these figures fall dramatically short of any alternative Parks and Gardens or Green Amenity space provision within these distances.

The overall figure for Todmorden is no doubt boosted by Centre Vale Park and it is disingenuous to use this as the base for how CMBC determine compliance of alternative space being available – especially when one considers the role of the EA in controlling the park.

Use of LP0902

If LP0902 is to be redeployed as a playground, there still needs to be some consideration as to what alternative provision exists for its original status as a Greenfield site. Or, on the positive side, one could argue that the site is perfect for tobogganing, something for which it has been used frequently recently. However, the steep slope (not an 'undulation') does descend straight towards the railway line. There is not even a fence to stop children sliding straight on to the rails – though a fence too could be dangerous. So with LP0902 there would need to be park wardens, unless Calderdale were to tackle the natural topography and try to flatten the land so that it could be used for playing football. However, these 'solutions' would mean a change of use for LP0902, as pointed out in the first sentence of this paragraph.

Users of the area

Key users not recognised in this assessment are dog walkers and young families and no equivalent or better provision is considered within this response by CMBC.

Given the impact of Coronavirus and the importance of outdoor space in terms of health and well-being, physical and mental, we would contend that the importance of this area as open green space far outweighs the drive to meet housing provision targets.

Sites LP0901 and LP0902 are situated in a deprived area (likely with low car ownership) where the opportunity to travel to use open spaces is limited to within reasonable walking distance. At present, residents of Wellington Road, which has numerous terraced houses devoid of gardens, are able to access LP0901 directly and safely from the top of their road. For our more elderly residents in both Central and Stansfield Wards, removing use of these areas will also be restrictive.

Historically anecdotally we are given to understand that when in private ownership, this site was considered for housing development, but that CMBC compulsorily purchased LP0901 to prevent such development, recognising its importance as open

green space. This may underpin why before 2018 CMBC had such a strong view as to why it was placed on its open space register.

NPPF 2018 Para 97- Open Space and Recreation

In considering the tests to be met we also contend that the conditions to allow this site to be brought forward for development are not satisfied as indicated below.

- a) *“an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements;”*

The table showing ha/1000 population directly contravenes this as outlined already.

- b) *“the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or”*

The statement by CMBC recognises the difficulty of providing alternative provision on LP0902 given its physical layout and topography.

CMBC’s own assessment indicates that “the replacement kickabout area is likely to be smaller than the existing one” yet somehow “the quality of the playing surface should allow greater use”.

We fail to see how this meets the standard of equivalent or better provision.

We are not aware that CMBC have carried out any quantitative assessment in terms of knowing the extent of use of the existing site area LP0901 to make this assumption that a reduced size area for replacement on LP0902 would be acceptable.

- c) *the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

Whilst CMBC argue that the provision of site LP0902 is an alternative area for relocation of the playground on LP0901, where is the alternative provision for site LP0902?

This may be proposed to be used as playground/ recreation but nevertheless LP0902 is just lost from the equation in term of its own use and alternative provision not made.

Qualitative assessment

We cannot see that there has been any effective assessment carried out as to the qualitative nature of redesignating LP0901 for development.

NPPF 96 states “Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

Where is such a qualitative assessment?

Habitat

We are concerned that there will be substantive loss of habitat and whilst we note the response from CMBC that mitigation measures will be required, we fail to see how the loss of such large areas of natural habitat can be compensated for.

Neighbourhood Plan

The intention within our Neighbourhood Plan is to designate LP0901 and LP0902 as greenspaces noting it meets the definition within the NPPF of

“The Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and not an extensive tract of land.

Flooding

Given Todmorden’s frequency of “flooding events”, it has been recognised by CMBC that stronger emphasis is needed on a catchment wide management of flood risk, including greater use of natural water management.

Whilst some properties near LP0901 and LP0902 are not susceptible to flooding, nevertheless, many have cellars that are constantly holding water and for some, sump pumps are used to disperse into the drainage network.

Building on such a natural grassed area that acts as a “sponge” in soaking up heavy rainfall, can only but increase the extent of direct discharge into the already struggling drainage infrastructure network, potentially lead to run off to areas/railway below and remove natural water management.

We cannot help but feel that at a time when there are existing planning permissions given now being brought forward for development elsewhere in Todmorden, that would likely now not get permission because of greater focus on flooding impact, it seems the wrong message to send out that building on such a natural water management area is acceptable.

Housing Provision

Whilst we recognise the need for Housing Provision in Todmorden, and indeed this is supported by our own Housing Needs Assessment carried out by AECOM in support of policies within our emerging Neighbourhood Plan, the viability of LP0901 is predicated by CMBC based on affordable housing at 25% of overall development. Whilst we have yet to consider this in terms of what the HNA indicates, there is a clear demand from the HNA for one and two bedroomed properties in Todmorden that may indicate a higher percentage may be required in the future to meet the affordable criteria requirement, and if so potentially then this site may become unviable.

Conclusion

We do understand that, in seeking to meet housing targets and generate a very substantial capital receipt from sale of the land to a developer/“Together Housing”, this site presents an attractive option for CMBC to bring forward as a developable site and particularly as part of their “partnership” working with “Together Housing”.

We do however challenge both the compliance with NPPF in terms of lack of quantitative evidence to support LP0901/LP0902 redesignation, and the morality of this proposal to build on LP0901, especially given the past history of CMBC so strongly supporting these areas for retaining open space status and indeed CMBC’s own suggestions of potential uses for Allotments/Cemetery use.

What is clearly lacking from the proposal to bring forward LP0901 as a development site is the opposition of the community to this as evidenced by the “Save the Denis Field Group”.

In addition, the apparent lack of any proper or substantive form of public consultation to redesignate this site from being on the “open spaces register” to that of a site to be brought forward for development is of concern and perhaps more indicative as part of an effort to meet Government Housing targets set for Calderdale.

The requirements of Todmorden should be considered in isolation taking into account our topography and the lack of green spaces in some communities, arising out of our historical context of industrial terraced back-to-back housing, with little or no garden provision.

The removal of such a valued open green space area LP0901, in such a community not well served by alternative availability of alternative open space, would be both a retrograde and irreversible step impacting on the future health and well-being of our residents in this ward. As such we would respectfully ask that the Planning Inspector take due note of our concerns when deliberating on this issue.

Yours faithfully

CR Hill

Colin Hill

Town Clerk

Todmorden Town Council

